

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
November 17, 2008

The Lenoir County Board of Commissioners met in regular session at 4:00 p.m. on Monday, November 17, 2008 in the Board of Commissioners Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

Members present: Chairman Paul Taylor, Jr., Vice-Chairman George Graham, Jr., and Commissioners, Jackie Brown, Claude Davis, Earl Harper, Chris Humphrey, and Claude Stroud.

Members absent: None

Also present were: Michael W. Jarman, County Manager; Tommy Hollowell, Assistant County Manager; Robert Griffin, County Attorney; Martha Martin, Finance Officer; Lashanda Aytch, Clerk to the Board; and members of the general public and the news media.

Chairman Taylor called the meeting to order at approximately 4:00 p.m. Ms. Brown offered the invocation and Mr. Taylor led the audience in the pledge of allegiance.

PUBLIC INFORMATION

Mr. Henry Noble addressed the Board regarding the Veterans Service Officer position. Mr. Noble stated there are two district officers for this area who serve the southern counties. An additional officer is needed to work for Veteran Services here in Lenoir County. There will be more assistance needed for Veterans from the Iraq War; a local Veterans Service Officer will fill that need. Ms. Brown stated she understands Mr. Noble's concerns regarding the need for a local officer to provide service to Veterans spouses and dependents. Mr. Graham recommended Mr. Charlie Smith of North Carolina Veteran Affairs be present to help address the group further regarding a new officer in order to meet the needs of today and the future. The Board agreed to have a joint meeting with appropriate Veterans Affairs Members.

ITEMS FROM THE CHAIRMAN/COMMISSIONERS

Mr. Harper stated there would be a Public Work Session regarding the Hwy. 70 Corridor on Tuesday, November 18, 2008 at 4:00 p.m. The public is invited to attend.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was Items from the County Manager. Mr. Jarman stated the Health Department has successfully completed its Accreditation process. The Health Department met 145 of the 148 benchmarks set forth by the North Carolina Accreditation Board. Mr. Huff stated every Public Health Department must go through the Accreditation process every four (4) years; this was Lenoir County's first time. On December 19, 2008 Mr. Huff will be meeting with the site visit team for formal acceptance of the Accreditation award.

Mr. Jarman stated no smoking signs have been placed at both entrances of the Lenoir County Courthouse prohibiting smoking within 50 ft. of the building. Mr. Jarman stated there has been incidents reported about burnt clothing and wheelchair access due to smokers on the Courthouse landing. Upon a motion by Mr. Davis and a second by Mr. Stroud, the Board ordered the signs be removed immediately; this vote was approved by a 6 to 1 vote with Mr. Humphrey dissenting.

CONSENT AGENDA

Upon a motion by Ms. Brown and a second by Mr. Davis, the Board unanimously approved the Consent Agenda:

3. Approval of Minutes: Regular Board Meeting: November 3, 2008
Closed Session Meeting: November 3, 2008 Aytch/Jarman
4. Resolution Approving the Releases and Refunds to the Individuals Listed Herein Parrish/Martin
5. Budget Ordinance Amendment: General Fund: DSS: \$1,384: Increase Jones/Martin
6. Budget Ordinance Amendment: General Fund: Health (Adult Health): Increase: \$4,800 Huff/Martin
7. Budget Ordinance Amendment: General Fund: Health: (Adult Health): Increase: \$9,700 Huff/Martin

ORDINANCE

Item No. 8 was an Ordinance of the County of Lenoir, North Carolina, which Provides for Debris Removal in Private Community Streets to Allow for Public Safety Operations and to Provide for Debris Removal from Private Property in Certain Large Scale Disasters; Providing for Severability; Providing for Codification; Addressing the Need Year Round; Providing an Effective Date of November 17, 2008. Mr. Roger Dail, Emergency Services Director, addressed the Board. Mr. Dail stated the Ordinance deals with the removal of debris. The Debris Management Plan is in the process of being drafted; the plan allows the County to go on private roads and remove debris following a disaster. Generally debris removal from private property following a disaster is the responsibility of the property owner, large-scale disasters may deposit enormous quantities of debris on private property over a large area resulting in widespread immediate threats to the public-at-large and may constitute an immediate threat to the economic recovery of the community at large in that such debris may overwhelm the ability of private landowners to remove it in a timely fashion. The goal is to prevent the debris from ending up at the landfill taking up much needed space. It also allows the county to remove debris from private property with reimbursement from FEMA. Upon a motion by Mr. Stroud and a second by Ms. Brown, Item No. 8 was unanimously approved.

BUDGET ORDINANCE AMENDMENT/RESOLUTIONS

Item No. 9 was a Budget Ordinance Amendment: General Fund: DSS: \$129,185: Increase. Mr. Jack Jones, Director of Social Services, stated the amendment is a line item adjustment to reflect allocations received. No County match is required. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 9 was unanimously approved.

Item No. 10 was a Budget Ordinance Amendment: Capital Improvements Fund: Economic Development: \$595,536: Increase. Mr. Mark Pope, Economic Development Director, stated the Amendment is to appropriate funds from the NCDOT for a Rail Industrial Access Grant. Lenoir County applied for this Grant in July 2006 for the construction of a rail spur at the Kinston Dupont Plant for the Sorona Project. The Grant is used to reimburse Dupont for a portion of their costs for the rail spur. The County received Grant funds on October 29, 2008. Upon a motion by Ms. Brown and a second by Mr. Davis, Item No. 10 was unanimously approved.

Item No. 11 was a Budget Ordinance Amendment: Capital Projects Fund: Shell Building #3: \$1,450,100: Increase. Mr. Pope stated the amendment is to budget loan proceeds from the Eastern Region for the construction of Shell Building #3. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 11 was unanimously approved.

Item No. 12 Resolution Authorizing the Approval of a Cross-Easement Agreement between Lenoir County and the Harvey Family. Mr. Griffin stated the new Northeast Elementary School was to have one ingress and egress access point on East Highland Avenue. After NCDOT review, it was decided for safety purposes to make the entry road a separate access point from the exit road. The Harvey's had already conveyed the school site but retained a portion of the original tract from which the school could build a new entrance road, which would satisfy NCDOT requirements. The Harvey's have agreed to donate the land for the easement. This property donated by the Harvey's will be used for the schools new entry road and the original access road will be the exit road. Lenoir County has entered an Inter-Agency Agreement with the Lenoir County Board of Education whereby the school site was transferred to Lenoir County while the school is being constructed. This site was transferred to Lenoir County in November 2007, therefore Lenoir County is the proper party to receive and grant the easement for Northeast Elementary. This easement is needed to facilitate safe ingress and egress to the school. Upon a motion by Ms. Brown and a second by Mr. Stroud, Item No. 12 was unanimously approved.

Item No. 13 was a Resolution Authorizing a Purchase of a GIS Services Application: \$4,600. Mr. Darrell Parrish, Tax Administrator, addressed the Board. Mr. Parrish stated the Lenoir County Tax Department, in conjunction with the GIS Department, has upgraded our mapping software in recent years. While working on the 2009 revaluation, the Tax Department have been made aware of a GIS Services application from L. Robert Kimball & Associates, Inc. that greatly enhances the capabilities of the mapping software that we use. This application was written for the Onslow County Tax Department, which uses the same tax system as Lenoir County, and they highly recommend the application. The application allows the Tax Department to import information from our mapping software into the tax software, giving us the capability to do two (2) major processes that we are currently unable to do. First, the application will allow the department to create and edit routes within our software. Secondly, it includes a personal geodatabase, which is designed specifically for the routing application to store the routes that are created. These processes will greatly improve the Tax Department's efficiency in completing the 2009 revaluation, and will give us the ability to create and analyze neighborhood adjustments- something the department has never been able to do with our current software. The cost of \$4,600 includes maintenance and technical support for one year after the installation of the application. Upon a motion by Ms. Brown and a second by Mr. Davis, Item No. 13 was unanimously approved.

Item No. 14 was a Resolution to Approve a Purchase Order for Fuel from Mallard Oil Company Totaling \$15,000 for Lenoir County Transit. Ms. Sue Powell, Transit Director, addressed the Board. Ms. Powell stated on October 28, 2008, Lenoir County received an email from the City of Kinston stating that the Complex where fuel is purchased for Lenoir County has planned a temporary shutdown of their central fuel pumps. This shutdown is due to mandatory system upgrades to the central fueling systems. The shutdown period is approximately 2-weeks (depending on conditions) starting Noon on Wednesday, November 5, 2008.

During the shutdown period, no one (including the County) will be able to receive fuel; therefore the County will have to find an alternative site to get fuel temporarily until the pumps are operational again. Transit request the Board approve the resolution to keep the Transit system operating effectively. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 14 was unanimously approved.

Item No. 15 was a Resolution Approving Acceptance of Additional Capital Funding from NCDOT Community Transportation Grant: \$115,800. Ms. Powell stated On January 22, 2008, the Lenoir County Board of Commissioners approved the FY 2008-2009 Community Transportation Grant both Administrative and Capital for Lenoir County Transit. The administrative funding was in the amount of \$196,484 and the capital funding was in the amount of \$102,000. The Capital funding was to replace two (2) lift vans that had over 100,000 miles, which meets the replacement requirements of NCDOT and two (2) Computers and Printers. Due to the increase in ridership and miles, DOT has requested LCT to do a Budget Amendment to NCDOT requesting additional funding in the amount of \$115,800 for the purchase of three (3) Wheelchair Lift Vans to increase the fleet to fifteen (15) vans. Lenoir County Transit (LCT) in FY 2007-2008 increased passenger trips to 53,836 and mileage increased to 454,658 which was considerably more than FY 2006-2007 passenger trips of 47,168 and mileage 324,173. With the increase, this enabled LCT to be placed third in the state along with Iredell County and Mecklenburg County with the most passenger trips. On November 3, 2008, because ridership had increased by leaps and bounds, LCT had to cap all Rural General Public (RGP) New riders due to not having enough vehicles to transport passengers and no back up vehicles as required by NCDOT. After conversation with NCDOT concerning this, NCDOT requested LCT to do a Budget Amendment to NCDOT to increase our Capital Budget by \$115,800. LCT will have to provide a 10% Local Match totaling \$11,580 to purchase three (3) Wheelchair Lift Vans. This would enable LCT to lift the cap on any New RGP riders. And bring an additional six (6) passenger seats w/ 2 w/c lifts per vehicle. Approval of this resolution allows for the acceptance of the additional Capital Funding in the amount of \$115,800 and the eventual purchase of the needed three (3) Wheelchair Lift Vans. The three (3) Wheelchair Lift Vans will be purchased using NCDOT Community Transportation Grant Funding with a 10% local match, which is funded through the Sale of Mobile Advertising and Sale of Disposed Transportation Vehicles. Upon a motion by Mr. Harper and a second by Mr. Davis, Item No. 15 was unanimously approved.

Item No. 15A was a Budget Ordinance Amendment: Transportation: Administration: \$115,800: Increase. Upon a motion by Mr. Harper and a second by Mr. Davis, Item No. 15A was unanimously approved.

Item No. 16 was a Resolution Authorizing the Purchase of a 24 X 14 Floating Dock and a 30 Foot Aluminum Gangway for the Boat Ramp at the Wildlife Access on Highway 70: \$19,850. Mr. Bill Ellis, Parks and Recreation Director addressed the Board. Mr. Ellis stated the Board approved constructing a floating dock at the Wildlife access on Highway 70 in its FY 2007-08 budget. This money was used to set the poles and pour underwater concrete around the poles. This was necessary because bedrock was hit unexpectedly. This has caused a delay and additional costs because the size of the dock had to be increased and the strength of the dock had to be significantly increased. The additional cost will be absorbed in the 2008-09 Parks & Recreation Capital Budget. Tide Tamer, Inc. was declared the lowest responsible bidder for the project. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 16 was unanimously approved.

Item No. 17 was a Resolution Approving Purchase Order with Bobby Murray Chevrolet: \$25,555. Major Chris Hill of the Sheriff's Department addressed the Board. Mr. Hill stated the Sheriff's Office annually replaces patrol vehicles that are approaching or exceed 125,000 miles. The vehicle currently assigned to an evidence officer is a 2000 Jeep which is approaching 125K miles. The Sheriff's Office now needs to replace this vehicle with a vehicle capable of carrying evidence collection equipment and has sufficient room to transport evidence. The State contract for 2009 has now been posted. Bobby Murray Chevrolet is offering the 2009 Chevrolet Tahoe for \$25,555. The Chevrolet Tahoe is designed for law enforcement (police package) usage and has the storage capacity for the type of work it will be performing. This particular vehicle was included in the Sheriff's 2008-2009 budget. Upon a motion by Mr. Stroud and a second by Mr. Davis, Item No. 17 was unanimously approved.

Item No. 18 was a Resolution Approving Purchase Order with Capital Ford: \$63,546. Mr. Hill stated the Sheriff's Office annually replaces patrol vehicles that are approaching or exceed 125,000 miles. The vehicle of choice for law enforcement has primarily been the Ford Crown Victoria. As such, most of the Sheriff's fleet is Ford Crown Victoria's. The vehicles have proven to perform rather well for law enforcement purposes. For the past several years the Sheriff has purchased Ford Crown Victoria's because they perform well under the rigors of law enforcement work and because they are offered on the State contract. Capital Ford of Raleigh will provide the 2009 Ford Crown Victoria for the price of \$21,181 under the terms of the State contract. In past years local dealerships have been offered the chance to bid on these vehicles but have never bid below the State contract price. Upon a motion by Mr. Stroud and a second by Mr. Davis, Item No. 18 was unanimously approved.

Item No. 19 was a Resolution Authorizing the Upgrade of the Existing Simon Communications Telephone System to the Power 911 Phone System: \$171,840. Mr. Dail stated in order for the Lenoir County Central Communications Center to meet A.D.A. (American Disabilities Act) compliance, the hard of hearing citizens in our community must have the capability of dialing 911. Each individual workstation must be capable of answering and processing 9-1-1 calls from T.D.D./T.T.Y. users. At the present time, the Lenoir County Emergency Services Department – Communications Division is currently satisfying that requirement with the Simon Phone System. However, the Simon System is now obsolete and replacement units, as well as parts, are becoming increasingly difficult to obtain. The Power 911 phone system is the upgrade replacement for the Simon System. This computerized system would also enable the Communications Center to be better capable of handling the influx of wireless calls, at an estimated increase of 55% of all 9-1-1 calls in Lenoir County, and to continue with the Phase II wireless compliance in accordance with State of North Carolina wireless guidelines. The Power 911 System is necessary to bring the Lenoir County Emergency Services Department – Communications Division continued ability to have service and replacement units/parts for the Communications Center and to continue with the Phase II wireless compliance in accordance with State of North Carolina wireless guidelines. Embarq provides the Communication Division, the equipment currently located in the Lenoir County Emergency Service Department. To bid to other vendors would require changing out all equipment, at a higher cost to the County. This money was budgeted out of the Special Telephone account, as it pertains to increase of wireless 9-1-1 calls. An earlier resolution for five- (5) workstations at a cost of \$145,670.00, was approved on June 16, 2008, Item # 161.

Upon additional review by staff, it was determined that an additional workstation needed to be purchased to bring the total amount to six- (6); thereby allowing all personnel working in the Communications Center to operate on the same phone system. Upon a motion by Ms. Brown and a second by Mr. Harper, Item No. 19 was unanimously approved.

APPOINTMENTS

Item No. 20 was a Resolution Appointing Citizens to Boards, Commissions, Etc. The following reflects existing vacancies and appointments.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Lenoir Memorial Hospital Board of Directors 1 st Appearance	Richard Adrian King Primary W. Loren Edwards Alternate	January 2013 TABLED
Lenoir County Transit Advisory Board 1 st Appearance	Christopher A. Harper (Appointment)	July 2011 TABLED
Lenoir County Board of Health 1 st Appearance	Anthony D. Hall (Appointment)	November 2011 TABLED

CURRENT VACANCIES:

Lenoir County Economic Development Board – At-Large Member

Lenoir County Health Board – (1) Veterinarian, (1) Optometrist, (2) Public Members

Lenoir County Planning Board – Districts One (1) and Four (4)

Grifton Planning Board – One (1) Vacancy

CJPP – Three (3) Vacancies

Kinston Board of Adjustment – Two (2) ETJ Members; (1) Primary – (1) Alternate

OTHER ITEMS

Item No. 21 was other items Mr. Taylor, Mr. Harper, and Mr. Davis stated they have enjoyed their time as County Commissioners. They stated it had been a great experience as County Commissioner and they will continue to work hard for Lenoir County. Mr. Graham presented Certificates of Appreciation to Mr. Taylor, Mr. Harper and Mr. Davis for the years of service to Lenoir County. Mr. Graham read the Resolution aloud for the Board and members of the viewing public.

CLOSED SESSION

Upon a motion by Mr. Taylor and a second by Ms. Brown, and unanimous approval, closed session was entered at approximately at 5:24 p.m. and the following cited: Number Seven (7) To plan, conduct or hear reports concerning investigations of alleged criminal misconduct. The Board heard comments from Mr. Jack Jones, Director of Social Services regarding the complaints of two former employees. There was no action taken by the Board. Upon a motion by Mr. Taylor and a second by Mr. Harper, the Board moved out of closed session at 5:49 p.m.

OPEN SESSION AND ADJOURNMENT

Upon a motion by Mr. Taylor and a second by Mr. Harper, the Board moved into open session at 5:49 p.m. Mr. Taylor stated the Board has heard discussion from Mr. Jack Jones, Social Services Director regarding a personnel matter. Upon a motion by Mr. Stroud and a second by Mr. Davis, the Board released the Closed Session Minutes of the November 3, 2008 meeting. The Closed Session transcript is to be given to the Director of Social Services and offered to the two (2) former employees if requested. Mr. Graham made an addendum to the motion by stating the Board of Commissioners upholds any decision made by the Lenoir County Department of Social Services Board; this addendum was second by Mr. Harper. Mr. Stroud accepted the addendum as presented. The Board approved the release of transcript unanimously.

Upon a motion by Mr. Taylor, the meeting was adjourned at 5:51 p.m.

Respectfully submitted,

Reviewed By

Lashanda Aytch
Clerk to the Board

Michael W. Jarman
County Manager